

PRERAK SHAH
JEAN E. WILLIAMS
Deputy Assistant Attorneys General

BENJAMIN J. GRILLOT
BRIDGET KENNEDY MCNEIL
KRISTOFOR R. SWANSON
Environment & Natural Resources Division
U.S. Department of Justice

[contact information in signature block]
Attorneys for Federal Defendants

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION

**Northern Plains Resource Council, et
al.,**

Plaintiffs,

v.

U.S. Army Corps of Engineers, et al.,

Defendants,

and

**TransCanada Keystone Pipeline, LP,
et al.,**

Defendant-Intervenors.

Case No. 4:19-cv-44-BMM

**Federal Defendants' Notice of
Appeal**

Pursuant to Federal Rules of Appellate Procedure 3 and 4 and 28 U.S.C. § 1292(a)(1), notice is hereby given that the United States Corps of Engineers (“Corps”) and Lieutenant General Todd T. Semonite, in his official capacity as U.S. Army Chief of Engineers and Commanding General of the U.S. Army Corps of Engineers, hereby appeal the Court’s April 15, 2020 Order, Dkt. #130 and the Court’s May 11, 2020 Order, Dkt #151. This appeal is taken to the United States Court of Appeals for the Ninth Circuit.

Date: May 13, 2020

MARK STEGER SMITH
Assistant U.S. Attorney
Office of the United States Attorney
2601 Second Ave. North, Suite 3200
Billings, MT 59101
Tel: (406) 247-4667
Fax: (406) 657-6058
mark.smith3@usdoj.gov

PRERAK SHAH
JEAN E. WILLIAMS
Deputy Assistant Attorneys General

s/ Kristofer Swanson
KRISTOFOR R. SWANSON
(Colo. Bar No. 39378)
Senior Attorney
Natural Resources Section
Envt. & Natural Resources Div.
U.S. Department of Justice
P.O. Box 7611
Washington, DC 20044-7611
Tel: (202) 305-0248
Fax: (202) 305-0506
kristofor.swanson@usdoj.gov

s/ Benjamin Grillot
BENJAMIN J. GRILLOT
(D.C. Bar No. 982114)
Environmental Defense Section
Envt. & Natural Resources Div.

U.S. Department of Justice
P.O. Box 7611
Washington, DC 20044-7611
Tel: (202) 305-0303
Fax: (202) 305-0506
benjamin.grillot@usdoj.gov

/s/ Bridget K. McNeil
BRIDGET KENNEDY MCNEIL
Senior Trial Attorney
Wildlife & Marine Resources Section
Env't. & Natural Resources Div.
U.S. Department of Justice
999 18th Street
South Terrace, Suite 370
Denver, CO 80202
303-844-1484
bridget.mcneil@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on May 13, 2020, I filed the above pleading with the Court's electronic case management system, which caused notice to be sent to all parties.

Bridget McNeil
Bridget Kennedy McNeil